

sixth Legislature, adding to Chapter 15, of Title 126, of the Revised Statutes of Texas of 1911, a new article to be known as Article 7689a, limiting the defenses that may be urged in defense of a suit for delinquent taxes, repealing all laws in conflict with the provisions of this Act, and declaring an emergency."

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, June 11, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 85, A bill to be entitled "An Act making appropriations for the State Government for two years, beginning September 1, 1923, and ending August 31, 1925, and for other purposes, and prescribing certain regulations and restrictions in respect thereto, and declaring an emergency."

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass, but the committee substitute in lieu thereof do pass, but be not printed.

WOOD, Chairman.

#### EIGHTEENTH DAY.

Senate Chamber,

Austin, Texas,

Tuesday, June 12, 1923.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor T. W. Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Baugh.	Lewis.
Bowers.	McMillin.
Burkett.	Murphy.
Clark.	Parr.
Darwin.	Pollard.
Davis.	Ridgeway.
Doyle.	Strong.
Floyd.	Stuart.
Holbrook.	Thomas.

Turner.  
Watts.  
Wirtz.

Witt.  
Wood.  
Woods.

Absent.

Fairchild.

Absent—Excused.

Bailey.  
Bledsoe.  
Cousins.

Rice.  
Rogers.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Watts.

(See Appendix for committee reports, petitions and memorials.)

Excused.

Senators Cousins and Rogers for Monday and until Thursday, on account of important business, on motion of Senator Wirtz.

Senator Rice for today, tomorrow and Thursday, on account of important business, on motion of Senator McMillin.

(Senator Stuart in the Chair.)

#### Bills on First Reading.

The following bills, introduced today, were each read first time and referred to appropriate committees as follows:

By Senator Wood:

S. B. No. 36, A bill to be entitled "An Act appropriating the sum of twelve thousand dollars (\$12,000.00) to pay for printing and binding the laws of the Regular and Called Sessions of the Thirty-eight Legislature, and declaring an emergency."

To the Committee on Finance.

By Senator Witt:

S. B. No. 37, A bill to be entitled "An Act creating Marlin Independent School District in Falls County, State of Texas, and defining its boundaries; separating the schools from the city of Marlin and divesting the title to school property from the city of Marlin and divesting the same, together with other free school prop-

erty in said district, in the board of trustees for said district; conferring on said district and its board of trustees all of the rights, powers, privileges and duties now conferred and imposed by the General Laws of Texas upon independent school districts, and the board of trustees thereof; authorizing the board of trustees of said district to employ the city assessor and collector of the city of Marlin to assess and collect any and all taxes that may be levied in said district, declaring that all bonds hereafter authorized by any and all former school districts included within the boundaries hereof shall remain in full force and effect; validating and continuing in force the legal maintenance tax heretofore voted in a part of said district as herein created, until the voters shall increase, diminish or abolish said tax; providing that the outstanding bonds heretofore levied by the city of Marlin for school purposes are validated and shall be paid by the levying of a tax by the governing authorities of said city against the property in said city until otherwise provided for; providing that other territory may be added; and also providing for the appointment of a board of equalization and for the collection of delinquent taxes; providing that in case any of the provisions of this Act shall be held ineffective such action shall not invalidate the remaining part of this Act; providing that this Act shall be held cumulative to all General Laws when not in conflict, and declaring an emergency."

To the Committee on Educational Affairs.

#### S. O. R. No. 11.

By Senator Darwin:

Whereas, The Methodist Centenary has offered \$66,000.00 to the Texas Methodists to build a dormitory for girls at the University of Texas, on condition that the Texas Methodists supplement said \$66,000.00 by \$34,000.00 to be put into the building and also provide for the building site; and

Whereas, The Methodists of Austin agree to furnish the building site, leaving to all the Methodists of Texas and the friends of the Texas University girls the task of raising

not less than \$34,000.00 so as to secure these funds of \$66,000.00; and

Whereas, Oklahoma has already complied with this same offer and is now getting the benefit of the \$66,000.00 in a girls' dormitory building at Oklahoma University; and

Whereas, There are 725 girls from Methodist homes in Texas now in the University of Texas, and the question of proper conveniences and board for University girls is a pressing question and of vital importance and interest to every Texas; and

Whereas, Proper Christian surroundings and influences are the greatest character builders and the surest security in maintaining American standards of Christian living.

Now therefore, We commend to every Methodist in Texas this worthy endeavor and hope this plan will be pushed to success to the end that Methodism is properly represented in the effort of all the Christian churches of Texas to care for and assist their girls who attend the University of Texas.

The resolution was read and adopted.

#### S. B. No. 29—Free Conference Committee Requested.

Senator Floyd called up S. B. No. 29 with the following House amendments:

Amend S. B. No. 29 by adding a new section to be known as Section 1-a.

"Sec. 1a. That said Commissioner of Insurance shall have had at least five years practical experience within the State of Texas in the insurance business, and shall be well informed on the insurance laws of the State of Texas; that his salary shall be three thousand five hundred (\$3,500.00) per year, payable in twelve equal monthly installments; and said Commissioner of Insurance shall perform the duties as imposed on the Commissioner of Insurance and Banking by Chapter 9, Article 71, of the Revised Civil Statutes of Texas."

Senator Floyd moved that the Senate do not concur in the House amendments, but that a Free Conference Committee be requested.

The motion was adopted.

(Lieutenant Governor T. W. Davidson in the Chair.)

## S. B. No. 9—Conference Committee Report.

By Senator Wood:

Committee Room,

Austin, Texas, June 12, 1923.

Hon. T. W. Davidson, President of the Senate, and Hon. R. E. Seagler,  
Speaker of the House of Representatives.

Sirs: We, your Conference Committee on Senate Bill No. 9, have had the same under consideration and beg leave to report that we have adjusted the differences between the Senate and the House and recommend the passage of the Senate bill with the following changes:

## State Comptroller's Department.

The item of traveling expenses for Gross Receipts Auditors changed from \$600.00 to.....\$ 375.00  
 The item of six auditors changed from \$4,800.00 to..... 3,600.00  
 The item of traveling expenses for six Auditors changed from \$4,000.00 to . . . . . 2,250.00  
 By inserting the following:  
 To pay salary and expenses of District Judges and District Attorneys for the several District Courts created by the Thirty-eighth Legislature . . . . . 10,000.00

## State Treasurer's Department.

The item of Stenographer from June 1st to August 31 changed from \$375.00 to .....\$ 337.50  
 Court of Civil Appeals, Tenth Supreme Judicial District.  
 By eliminating the item for the porter's salary from June 12 to September 1st.

## Department of State.

The item for contingent expenses, freight, postage, telegraph and telephone raised from \$250.00 to.....\$ 500.00

## Department of Agriculture.

By eliminating the following items:  
 Assistant Statistician and Librarian.....\$ 400.00  
 One field man ..... 400.00  
 One filing clerk and Stenographer..... 400.00  
 One Assistant Seed Analyst..... 400.00

## Industrial Accident Board.

By changing the wording of the first item to read as follows:  
 Books, stationery, office supplies, postage, telegraph and telephone and printing and by raising the amount from \$1,500.00 to . . . . . \$ 2,000.00

## Gonzales State Park.

The item for extra labor and for the purchase of a horse-drawn mower reduced from \$1,000.00 to.....\$ 500.00  
 By eliminating the item for flowers and shrubs.

## Texas School for the Deaf.

By eliminating the following items:  
 1,100 ft. of curb.....\$ 550.00

1,100 lineal ft. of 4½ ft. walks.....	\$ 715.00
Excavation for walks .....	650.00
800 lineal ft. of 36 ft. cement wall.....	1,400.00
Excavating and grading down part of east side of Institution grounds .....	1,000.00

## Girls' Training School.

The item of support and maintenance reduced from \$6,000.00 to .....	\$ 4,000.00
The item for parole and Traveling expenses reduced from \$1,000.00 to .....	500.00
The items for stapms and office supplies reduced from \$200.00 to .....	100.00

## Prairie View State Normal and Industrial College.

By eliminating the following item:

To build and equip new dairy barn. ....\$ 6,000.00

Respectfully submitted,

WOOD,  
DAVIS,  
TURNER,  
WATTS,  
DOYLE,

On the part of the Senate.

BLOUNT,  
JENNINGS,  
CHITWOOD,  
MOORE,

On the part of the House.

On motion of Senator Wood, the report was adopted by the following vote:

Yeas—25.

Baugh.	Parr.
Bowers.	Pollard.
Burkett.	Ridgeway.
Clark.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.
Murphy.	

Absent.

Rice.

Absent—Excused.

Bailey.	Cousins.
Bledsoe.	Rogers.

## S. B. No. 20 on Final Passage.

The Chair laid before the Senate as special order, on its final passage,

S. B. No. 20, regulating the transportation by automobiles, a motion by Senator Murphy to reconsider the vote by which the bill was passed to engrossment, pending.

## S. B. No. 26 on Second Reading.

On motion of Senator Woods, by unanimous consent, the regular order was suspended, and the Senate took up out of its regular order,

S. B. No. 26, A bill to be entitled "An Act to prohibit the reckless driving and operation of motor vehicles on the public highways of the State of Texas, and prescribing penalties therefor, and defining reckless driving and operation; and declaring an emergency."

The Chair laid the bill before the Senate, and it was read second time.

Senator Woods offered the following amendment to the bill:

Amend S. B. No. 26 by adding at the end of Section 2 of the bill, following the word "driven," the fol-

lowing words: "Or the failure to use that degree of care and caution that a person of ordinary prudence would use under like circumstances."

The amendment was adopted.

S. B. No. 26 was then passed to engrossment.

#### S. B. No. 26 on Third Reading.

On motion of Senator Wood, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 26 was placed upon its third reading and final passage by the following vote:

##### Yeas—20.

Baugh.	McMillin.
Bowers.	Murphy.
Burkett.	Pollard.
Clark.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Witt.
Holbrook.	Wood.
Lewis.	Woods.

##### Absent.

Floyd.	Watts.
Parr.	Wirtz.
Ridgeway.	

##### Absent—Excused.

Bailey.	Rice.
Bledsoe.	Rogers.
Cousins.	

The Chair then placed S. B. No. 26 before the Senate on its third reading and final passage.

The bill was read third time and passed.

#### S. B. No. 35 on Second Reading.

On motion of Senator Burkett, by unanimous consent, the regular order was suspended, and the Senate took up out of its regular order,

S. B. No. 35, A bill to be entitled "An Act regulating the lights and lighting and operation of motor vehicles, tractors, trailers, semi-trailers, motorcycles, and bicycles in this State; prescribing the light for such

vehicles between the hours of half-hour after sunset and half-hour before sunrise; providing for the use of red flags on certain loaded vehicles in the daytime; enacting the necessary penal provisions as to lights for such vehicles and devices and equipment for such lights; providing for the tests and approval of such devices and equipment by the State Highway Commission; prescribing the rule of evidence in criminal prosecutions relative to such test and approval; prescribing penalties for violations of the Act; and declaring an emergency."

The Chair laid the bill before the Senate, it was read second time and passed to engrossment.

#### S. B. No. 35—Motion to Suspend Constitutional Rule.

Senator Burkett moved to suspend the constitutional rule requiring bills to be read on three several days in each House, and that S. B. No. 35 be placed upon its third reading and final passage.

The motion was lost by the following vote, not receiving the necessary four-fifths majority:

##### Yeas—17.

Baugh.	Pollard.
Burkett.	Ridgeway.
Clark.	Strong.
Davis.	Stuart.
Doyle.	Thomas.
Fairchild.	Turner.
Floyd.	Witt.
Murphy.	Wood.
Parr.	

##### Nays—6.

Bowers.	Lewis.
Darwin.	McMillin.
Holbrook.	Wirtz.

##### Absent.

Watts.	Woods.
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##### Absent—Excused.

Bailey.	Rice.
Bledsoe.	Rogers.
Cousins.	

**S. B. No. 29—Free Conference Committee Appointed.**

The Chair (Lieutenant Governor T. W. Davidson) announced the appointment of the following on the part of the Senate as the Free Conference Committee on S. B. No. 29: Senators Watts, Thomas, Floyd, Darwin, Holbrook.

**H. B. No. 51—Free Conference Committee Appointed.**

Senator Wood moved that the Senate grant the request of the House for a Free Conference Committee on H. B. No. 51.

The motion was adopted.

In accordance with the above motion, the Chair (Lieutenant Governor T. W. Davidson) announced the appointment of the following committee on the part of the Senate: Senators Darwin, Thomas, Lewis, McMillin, Clark.

**H. B. No. 74—Free Conference Committee Appointed.**

Senator Wood moved that the Senate grant the request of the House for a Free Conference Committee on H. B. No. 74.

The motion was adopted.

In accordance with the above motion, the Chair (Lieutenant Governor T. W. Davidson) announced the appointment of the following committee on the part of the Senate: Senators Floyd, Fairchild, Strong, Woods, Davis.

**H. B. No. 85—Free Conference Committee Appointed.**

Senator Wood moved that the Senate grant the request of the House for a Free Conference Committee on H. B. No. 85.

The motion was adopted.

In accordance with the above motion, the Chair (Lieutenant Governor T. W. Davidson) announced the appointment of the following committee on the part of the Senate: Senators Wood, Burkett, Wirtz, Clark and Murphy.

**H. B. No. 22 on Passage to Third Reading.**

Senator Davis called up H. B. No. 22 relating to compensation of certain city officials, which was read the second time on June 6 and laid on the table subject to call.

The committee report that the bill be not printed was adopted, and it was then passed to third reading.

**H. B. No. 22 on Third Reading.**

On motion of Senator Davis, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 22 was placed upon its third reading and final passage by the following vote:

Yeas—25.

Baugh.	Parr.
Bowers.	Pollard.
Burkett.	Ridgeway.
Clark.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.
Murphy.	

Absent—Excused.

Bailey.	Rice.
Bledsoe.	Rogers.
Cousins.	

The Chair then placed H. B. No. 22 before the Senate on third reading and final passage.

The bill was read third time and passed.

**H. B. No. 97 on Second Reading.**

On motion of Senator Holbrook, by unanimous consent, the regular order of business was suspended, and the Senate took up out of its regular order, on its second reading and passage to third reading.

H. B. No. 97, A bill to be entitled "An Act to amend Sections 2, 3 and 5 of an Act creating the Simmons Independent School District in Live

Oak County, Texas, passed during the Regular Session of the Thirty-eighth Legislature of Texas, signed on March 6, 1923, and duly approved by the Governor and known as H. B. No. 507, increasing the number of school trustees to seven members; providing how the four additional trustees shall be elected for the first time and thereafter; and providing for the assessment and collection of all taxes in said district, and declaring an emergency."

The Chair laid the bill before the Senate and it was read second time, the committee report that the bill be not printed was adopted, and it was passed to third reading.

#### H. B. No. 97 on Third Reading.

On motion of Senator Holbrook, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 97 was placed upon its third reading and final passage by the following vote:

Yeas—25.

Baugh.	Parr.
Bowers.	Pollard
Burkett.	Ridgeway.
Clark.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.
Murphy.	

Absent—Excused.

Bailey.	Rice.
Bledsoe.	Rogers.
Cousins.	

The Chair then placed H. B. No. 97 before the Senate on third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—25.

Baugh.	Darwin.
Bowers.	Davis.
Burkett.	Doyle.
Clark.	Fairchild.

Floyd.	Stuart.
Holbrook.	Thomas.
Lewis.	Turner.
McMillin.	Watts.
Murphy.	Wirtz.
Parr.	Witt.
Pollard.	Wood.
Ridgeway.	Woods.
Strong.	

Absent—Excused.

Bailey.	Rice.
Bledsoe.	Rogers.
Cousins.	

Recess.

On motion of Senator Wirtz, the Senate at 11:55 a. m. recessed until 2 p. m. today.

#### Afternoon Session.

The Senate met at 2 p. m. and was called to order by Lieutenant Governor T. W. Davidson.

#### S. B. No. 20 on Final Passage.

The Chair laid before the Senate as special order, on its final passage, S. B. No. 20, regulating transportation by automobiles, a motion by Senator Murphy to reconsider the vote by which the bill was passed to engrossment, pending.

On motion of Senator Clark, further consideration of the bill was postponed indefinitely.

#### S. B. No. 34 on Second Reading.

On motion of Senator Darwin, by unanimous consent, the regular order was suspended, and the Senate took up out of its regular order,

S. B. No. 34, A bill to be entitled "An Act creating an Illiterary Commission for Texas, defining the powers and duties of said Commission, and making an appropriation for the work to be carried on under the direction of said Commission, and declaring an emergency."

The Chair laid the bill before the Senate, and it was read second time. Senator Clark moved to postpone

further consideration of the bill indefinitely.

Yeas and nays were demanded, and the motion was lost by the following vote:

Yeas—8.

Clark.	Murphy.
Doyle.	Thomas.
Floyd.	Watts.
McMillin.	Woods.

Nays—14.

Baugh.	Pollard.
Burkett.	Ridgeway.
Darwin.	Stuart.
Davis.	Turner.
Fairchild.	Wirtz.
Lewis.	Witt.
Parr.	Wood.

Absent.

Bowers.	Holbrook.
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Absent—Excused.

Bledsoe.	Rice.
Cousins.	Rogers.

(Pair Recorded.)

Senator Strong (present), who would vote yea; with Senator Bailey (absent), who would vote nay.

S. B. No. 34 was then passed to engrossment by the following vote:

Yeas—14.

Baugh.	Pollard.
Bowers.	Ridgeway.
Burkett.	Stuart.
Darwin.	Turner.
Fairchild.	Wirtz.
Lewis.	Witt.
Parr.	Wood.

Nays—10.

Clark.	McMillin.
Davis.	Murphy.
Doyle.	Thomas.
Floyd.	Watts.
Holbrook.	Woods.

Absent—Excused.

Bledsoe.	Rice.
Cousins.	Rogers.

(Pair Recorded.)

Senator Strong (persent), who would vote nay; with Senator Bailey (absent), who would vote yea.

#### S. B. No. 34—Motion to Suspend Constitutional Rule.

Senator Darwin moved to suspend the constitutional rule requiring bills to be read on three several days in each House, and that S. B. No. 34 be placed upon its third reading and final passage.

The motion was lost by the following vote, not receiving the necessary four-fifths majority:

Yeas—13.

Bowers.	Ridgeway.
Burkett.	Stuart.
Darwin.	Turner.
Fairchild.	Wirtz.
Lewis.	Witt.
Parr.	Wood.
Pollard.	

Nays—11.

Baugh.	McMillin.
Clark.	Murphy.
Davis.	Thomas.
Doyle.	Watts.
Floyd.	Woods.
Holbrook.	

Absent—Excused.

Bledsoe.	Rice.
Cousins.	Rogers.

(Pair Recorded.)

Senator Strong (present), who would vote nay; with Senator Bailey (absent), who would vote yea.

#### H. B. No. 35—Conference Committee Report.

Committee Room,

Austin, Texas, June 11, 1923.

Hon. R. E. Seagler, Speaker of the House, and Hon. T. W. Davidson, President of the Senate.

Sirs: We, your Free Conference Committee appointed by the House and Senate to adjust the differences between the House and the Senate on H. B. No. 35, beg leave to report that this committee has carefully considered the bill and the differences between the two Houses and as our report we recommend the following bill as a substitute for H. B. No. 35, and we recommend the adoption of this report by the House and the Senate:



By Price.

H. B. No. 35.

## A BILL

## To be Entitled

An Act amending the Act passed by the Thirty-eighth Legislature at its Regular Session, approved January 31, 1923, the same being H. B. No. 17, entitled "An Act requiring the Board of Water Engineers and the State Reclamation Engineer, in conformity to the Statutes determining their powers and duties, to make, cause to be made, and report to the Governor, an adequate topographic and hydrographic survey to the stream watersheds of the State, to the end that flood control, water conservation and economic utilization in reclamation development may be made practicable, advancing all such work as found feasible to the public welfare; directing the order in which said surveys and reports shall be made; providing for an appropriation to carry out the provisions of this Act, and declaring an emergency," amending said bill so as to reduce the appropriation therein made; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 3 of the Act of the Legislature, approved January 31, 1923, being H. B. No. 17, enacted by the Thirty-eighth Legislature at its Regular Session, and more fully described in the caption hereof, be and the same is hereby amended so as to read as follows:

"Section 3. For the purpose of securing, assembling and reporting the data authorized and directed in Section 1 of this Act, there is hereby appropriated the sum of \$100,000.00 for the first year and \$75,000.00 for the second year to the State Board of Water Engineers; the sum of \$34,200.00 for the first year, and \$54,200.00 for the second year to the State Reclamation Engineer for topographic surveys; and the further sum of \$50,000.00 per annum for the State Board of Water Engineers for stream measurements and other hydrographic work, or so much thereof as may be necessary; all moneys to be disbursed in conformity to the provisions of law directing and controlling expenditures by the State Board of Water Engineers and the State Reclamation Engineer;

said sums to be available for the purposes herein declared for a period of two years from September 1, 1923, and out of the general revenue funds not otherwise appropriated.

Sec. 2. The fact that it is necessary to cut down excessive appropriations in order that the appropriations will not exceed the revenues of the State, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and that this Act shall take effect and be in force from and after its passage, and said rule is hereby suspended, and it is so enacted."

In this connection the committee desires to inform the two Houses that the bill as above re-written is identically the same as H. B. No. 35 as amended by the Senate, save and except that it subtracts \$25,000.00 from the \$125,000.00 item appropriated to the Board of Water Engineers for the first year for topographic surveys and adds this \$25,000.00 to the \$50,000.00 appropriated to the Board of Water Engineers for the second year for topographic surveys.

PRICE,  
STEWART of Reeves,  
MAXWELL,  
BONHAM,  
MELSON,

On the part of the House.

FLOYD,  
WOODS,  
WIRTZ,  
STUART,

On the part of the Senate.

On motion of Senator Woods, the report of the Conference Committee was adopted by the following vote:

Yeas—22.

Baugh.	Pollard.
Burkett.	Ridgeway.
Clark.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Lewis.	Witt.
McMillin.	Wood.
Parr.	Woods.

Nays—2.

Holbrook.	Murphy.
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**Absent.**

Bowers.

**Absent—Excused.**

Bailey.

Rice.

Bledsoe.

Rogers

Cousins.

**Reasons for Vote.**

I desire to have printed in the Journal the following reason for not concurring in the majority report of a Free Conference Committee on H. B. No. 35:

"I was the co-author, with the late Representative Rountree, of the original bill appropriating \$600,000.00 to be used during the next biennium for the purpose of making an adequate topographic and hydrographic survey of the watersheds of this State. Before offering the original bill in the Senate, providing for an appropriation of \$600,000.00, I had complete data as to the necessity for appropriating that amount, and was then and am now convinced that a proper survey, as was contemplated under the terms of that bill, cannot be made for less money."

**HOLBROOK.****H. B. No. 25 on Passage to Third Reading.**

Senator Strong called up H. B. No. 25, levying taxes on tent dramatic shows, etc., which was read the second time on June 6 and laid on the table subject to call.

The Chair laid the bill before the Senate, and the committee report carrying the following amendments was adopted:

Add Section 2 to read as follows:

Sec. 2. Provided, however, that nothing in this Act shall be construed to impose a tax upon traveling shows giving exhibitions for private profit in regular established theaters subject to an occupation tax under this Act.

Add Section 3 to read as follows:

Sec. 3. This Act shall not be construed to mean that a regular established theater showing pictures, vaudeville or theatrical presentations, or either of same, shall pay more than one occupation tax.

Make House engrossed rider to read Section 4.

Change emergency clause to read Section 5.

The bill was then passed to third reading.

**H. B. No. 25 on Third Reading.**

On motion of Senator Strong, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 25 was placed upon its third reading and final passage by the following vote:

**Yeas—18.**

Baugh.

Pollard.

Bowers.

Ridgeway.

Burkett.

Strong.

Clark.

Stuart.

Darwin.

Turner.

Davis.

Wirtz.

Lewis.

Witt.

McMillin.

Wood.

Parr.

Woods.

**Nays—1.**

Murphy.

**Present—Not Voting.**

Doyle.

**Absent.**

Fairchild.

Thomas.

Floyd.

Watts.

Holbrook.

**Absent—Excused.**

Bailey.

Rice.

Bledsoe.

Rogers.

Cousins.

The Chair then placed H. B. No. 25 before the Senate on third reading and final passage.

The bill was read third time and passed by the following vote:

**Yeas—17.**

Baugh.

Pollard.

Clark.

Ridgeway.

Darwin.

Strong.

Davis.

Stuart.

Doyle.

Turner.

Fairchild.

Wirtz.

Lewis.

Witt.

McMillin.

Wood.

Parr.

**Nays—1.**

Murphy.

**Present—Not Voting.**

Thomas. Woods.

**Absent.**

Floyd. Watts.  
Holbrook.

**Absent—Excused.**

Bailey. Rice.  
Bledsoe. Rogers.  
Cousins.

**(Pair Recorded.)**

Senator Burkett (present), who would vote nay; with Senator Bowers (absent), who would vote yea.

**S. B. No. 27 and H. B. No. 99 on Second Reading.**

The Chair laid before the Senate as regular order, on its second reading, S. B. No. 27, and under the rule the Chair laid before the Senate on second reading the following House bill on the same subject:

H. B. No. 99, A bill to be entitled "An Act to amend Section 1, of Chapter 116, of the Local and Special Laws as passed by the Thirty-third Legislature, 1913, entitled 'An Act creating an independent school district to be known as the Rockwall Independent School District, and prescribing the metes and bounds of same, and providing for the creation of a board of trustees for same and authorizing said board of trustees to levy, assess and collect special taxes and conferring upon the board of trustees plenary powers and authority to issue bonds for the purpose of purchasing school sites, and erecting, furnishing and equipping school buildings within said district, to refund and take up any indebtedness and outstanding bonds or contracts of the common school district included in the territory herein described, and to pay current expenses in the maintenance and support of said schools, and further prescribing the duties and authority of said board of trustees, and declaring an emergency,' and declaring an emergency."

The bill was read second time,

the committee report that the bill be not printed was adopted, and it was then passed to third reading.

**H. B. No. 99 on Third Reading.**

On motion of Senator Davis, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 99 was put on its third reading and final passage by the following vote:

**Yeas—25.**

Baugh.	Parr.
Bowers.	Pollard.
Burkett.	Ridgeway.
Clark.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.
Murphy.	

**Absent—Excused.**

Bailey.	Rice.
Bledsoe.	Rogers.
Cousins.	

The Chair then laid H. B. No. 99 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

**Yeas—25.**

Baugh.	Parr.
Bowers.	Pollard.
Burkett.	Ridgeway.
Clark.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.
Murphy.	

**Absent—Excused.**

Bailey.	Rice.
Bledsoe.	Rogers.
Cousins.	

**H. B. No. 121 on Second Reading.**

On motion of Senator Wirtz, by unanimous consent, the regular order of business was suspended, and the Senate took up out of its regular order, on its second reading and passage to third reading,

H. B. No. 121, A bill to be entitled "An Act to amend Section 1, Chapter 65, Acts of the Thirty-sixth Legislature, Second Called Session, providing for the dissolution of consolidated school districts by majority vote of the qualified voters of the district at an election held for that purpose, and declaring an emergency."

The Chair laid the bill before the Senate and it was read second time, the committee report that the bill be not printed was adopted, and it was passed to third reading.

**H. B. No. 121 on Third Reading.**

On motion of Senator Wirtz, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 121 was put on its third reading and final passage by the following vote:

Yeas—25.

Baugh.	Parr.
Bowers.	Pollard.
Burkett.	Ridgeway.
Clark.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.
Murphy.	

Absent—Excused.

Bailey.	Rice.
Bledsoe.	Rogers.
Clark.	

The Chair then laid H. B. No. 121 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—22.

Burkett.	Pollard.
Clark.	Ridgeway.
Darwin.	Strong.
Davis.	Stuart.
Doyle.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Wirtz.
McMillin.	Witt.
Murphy.	Wood.
Parr.	Woods.

Absent.

Baugh.	Lewis.
Bowers.	

Absent—Excused.

Bailey.	Rice.
Bledsoe.	Rogers.
Cousins.	

**S. B. No. 28 and H. B. No. 102 on Second Reading.**

The Chair laid before the Senate as regular order, on its second reading, S. B. No. 28, and under the rules, then substituted the following House bill on the same subject:

H. B. No. 102, A bill to be entitled "An Act authorizing any city in the State of Texas of one hundred thousand or more population, whether organized by special law, home rule charter, or General Laws of the State of Texas, to disannex unimproved territory, and declaring an emergency."

**H. B. No. 102 on Second Reading.**

On motion of Senator Davis, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 102 was put on its second reading and passage to third reading by the following vote:

Yeas—22.

Baugh.	Floyd.
Bowers.	Holbrook.
Burkett.	Lewis.
Clark.	McMillin.
Darwin.	Murphy.
Davis.	Parr.
Doyle.	Pollard.
Fairchild.	Ridgeway.

Strong.  
Stuart.  
Thomas.

Turner.  
Watts.  
Woods.

Absent.

Wirtz.  
Witt.

Wood.

Absent.—Excused.

Balley.  
Bledsoe.  
Cousins.

Rice.  
Rogers.

The Chair then laid the bill before the Senate, and it was read second time.

On motion of Senator Davis, the Senate rule requiring committee reports to lie over one day was suspended by unanimous consent, and the committee report that the bill be not printed was adopted.

Senator Davis offered the following amendments to the bill:

(1)

Amend S. B. No. 28, Section 1, lines 2 and 3, by striking out the words "One hundred fifty thousand or more population according to the 1920 Federal Census," and insert in lieu thereof the following: "One hundred fifty thousand or more population according to the United States Census of 1920, located in counties having a population according to the United States Census of 1920 in excess of two hundred and five thousand."

(2)

Amend caption to H. B. No. 102 by striking out the words "one hundred and fifty thousand or more population" and insert in lieu thereof the following: "One hundred fifty thousand or more population according to the United States Census of 1920, located in counties having a population, according to the United States Census of 1920, in excess of two hundred and five thousand."

The amendments were adopted.

H. B. No. 102 was then passed to third reading.

#### H. B. No. 102 on Third Reading.

On motion of Senator Davis, the constitutional rule requiring bills to

be read on three several days in each House was suspended, and H. B. No. 102 was put on its third reading and final passage by the following vote:

Yeas—25.

Baugh.  
Bowers.  
Burkett.  
Clark.  
Darwin.  
Davis.  
Doyle.  
Fairchild.  
Floyd.  
Holbrook.  
Lewis.  
McMillin.  
Murphy.

Parr.  
Pollard.  
Ridgeway.  
Strong.  
Stuart.  
Thomas.  
Turner.  
Watts.  
Wirtz.  
Witt.  
Wood.  
Woods.

Absent.—Excused.

Balley.  
Bledsoe.  
Cousins.

Rice.  
Rogers.

The Chair then laid H. B. No. 102 before the Senate on third reading and final passage.

The bill was read third time and passed.

#### S. B. No. 33 on Second Reading.

The Chair laid before the Senate as regular order, on its second reading,

S. B. No. 33, A bill to be entitled "An Act amending the statutes relative to drugs and narcotics, making it unlawful to possess for unlawful sale, furnishing or giving away any marihuana or other drug, narcotic preparation, derivative or preparation mentioned in Section 1 of Chapter 150, General Laws, Regular Session of the Thirty-sixth Legislature, as amended by Chapter 61, General Laws of the Second Called Session of the Thirty-sixth Legislature, and making it a felony to carry on or about the person any pistol, arm or weapon mentioned in Article 475, Penal Code, while so possessing same; prescribing penalties; and declaring an emergency."

The bill was read second time and passed to engrossment.

**S. B. No. 33 on Third Reading.**

On motion of Senator McMillin, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No. 33 was placed upon its third reading and final passage by the following vote:

Yeas—18.

Burkett.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
McMillin.	Wood.
Ridgeway.	Woods.

Nays—3.

Clark.	Parr.
Murphy.	

Absent.

Baugh.	Lewis.
Bowers.	Pollard.

Absent.—Excused.

Bailey.	Rice.
Bledsoe.	Rogers.
Cousins.	

The Chair then laid S. B. No. 33 before the Senate on its third reading and final passage.

The bill was read third time and passed.

**H. C. R. No. 4.**

The Chair laid before the Senate for consideration at this time,

H. C. R. No. 4, Relating to certain loans by the State.

Whereas, In the year 1918 the Legislature of the State of Texas did by appropriate act authorize a loan of approximately four hundred thousand (\$400,000.00) dollars for certain drought-stricken of this State; and

Whereas, There is at this time owing to the State of Texas approximately one hundred ninety-three thousand, one hundred and thirty-six (\$193,136) dollars on this loan by twenty counties of the State; and

Whereas, Said counties have recovered financially; therefore, be it

Resolved, By the House of Representatives of the State of Texas, the Senate concurring, that the Attorney General of this State be instructed to take such action, legal or otherwise, as may be necessary and proper to collect this money for the State.

The resolution was read, and the committee report carrying the following committee amendment was adopted:

Amend H. C. R. No. 4 by striking from the last paragraph of the resolution the words "legal or otherwise" and by inserting the phrase "in his judgment" between the word "as" and the word "may," the amended clause to read, "as in his judgment may be necessary and proper to collect this money for the State."

The resolution was then adopted.

**S. B. No. 31 on Second Reading.**

The Chair laid before the Senate as regular order, on its second reading,

S. B. No. 31, A bill to be entitled "An Act authorizing the purchase of Block No. 109 in the City of Austin, Texas, by the State of Texas, and Travis County, Texas, and the erection thereon of a building for the use of the Supreme Court, the Court of Criminal Appeals, certain other appellate courts of Texas, and the Supreme Court Library, and for the use of the courts of Travis County, Texas, and the offices of the officials of said county; providing for an equal division of the expenses thereof between the State of Texas and Travis County, Texas, and making an appropriation therefor, and declaring an emergency."

The bill was read second time.

Senator Clark moved to postpone further consideration of the bill indefinitely.

Yeas and nays were demanded, and the motion to postpone indefinitely was lost by the following vote:

Yeas—7.

Clark.	McMillin.
Doyle.	Turner.
Holbrook.	Woods.
Lewis.	

## Nays—13.

Burkett.	Ridgeway.
Darwin.	Stuart.
Fairchild.	Thomas.
Floyd.	Watts.
Murphy.	Witt.
Parr.	Wood.
Pollard.	

Absent.

Baugh.	Strong.
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Absent—Excused.

Bailey.	Rice.
Bledsoe.	Rogers.

(Pairs Recorded.)

Senator Davis (present), who would vote yea; with Senator Bowers (absent), who would vote nay.

Senator Wirtz (present), who would vote yea; with Senator Cousins (absent), who would vote nay.

The committee report that the bill be not printed was adopted.

Senator Wood offered the following amendments to the bill:

(1)

Amend S. B. No. 31 by striking out all of Section 3 thereof and inserting in lieu of said Section 3 the following:

"Section 3. Provided that if any part of said building is used by Travis County for a jail, it shall be the top story thereof, and the same shall be equipped with separate elevators."

(2)

Amend S. B. No. 31 by striking out the words "Three hundred fifty thousand dollars" wherever the same appear in the bill and insert in lieu thereof "Four hundred thousand dollars."

The amendments were adopted.

Yeas and nays were demanded, and the bill was passe to engrossment by the following vote:

Yeas—11.

Burkett.	Pollard.
Darwin.	Ridgeway.
Fairchild.	Watts.
Floyd.	Witt.
Murphy.	Wood.
Parr.	

## Nays—9.

Clark.	McMillin.
Davis.	Thomas.
Doyle.	Turner.
Holbrook.	Woods.
Lewis.	

Absent.

Baugh.	Strong.
Bowers.	

Absent—Excused.

Bailey.	Rogers.
Bledsoe.	

(Pairs Recorded.)

Senator Stuart (present), who would vote yea; with Senator Rice (absent), who would vote nay.

Senator Wirtz (present), who would vote nay; with Senator Cousins (absent) who would vote yea.

## H. B. No. 122 on Second Reading.

On motion of Senator Fairchild, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 122 was put upon its second reading and passage to third reading by the following vote:

Yeas—23.

Baugh.	Parr.
Bowers.	Pollard.
Burkett.	Ridgeway.
Darwin.	Strong.
Davis.	Stuart.
Doyle.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Wirtz.
Lewis.	Witt.
McMillin.	Wood.
Murphy.	

Nays—2.

Clark.	Woods.
	Absent—Excused.
Bailey.	Rice.
Bledsoe.	Rogers.
Cousins.	

The Chair then laid before the Senate on its second reading,

H. B. No. 122, A bill to be entitled "An Act to amend Article 3104 so as to provide that no candidate for a State or a district office shall be re-

quired to pay not exceeding one dollar as his portion of the estimated expenses of holding the primary election at which such candidate is seeking nomination, and declaring an emergency."

The bill was read second time.

On motion of Senator Fairchild, the Senate rule requiring committee reports to lie over one day was suspended by unanimous consent, and the committee report that the bill be not printed was adopted.

H. B. No. 122 was then passed to third reading.

#### H. B. No. 122 on Third Reading.

On motion of Senator Fairchild, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 122 was placed upon its third reading and final passage by the following vote:

Yeas—25.

Baugh.	Parr.
Bowers.	Pollard.
Burkett.	Ridgeway.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.
Murphy.	

Nay—1.

Clark.

Absent.—Excused.

Bailey.	Rogers.
Bledsoe.	Rice.

The Chair laid H. B. No. 122 before the Senate on its third reading and final passage.

The bill was read third time.

Senator Parr offered the following amendment to the bill:

Amend H. B. No. 122 by adding a new section to be known as Section 1a as follows:

"Section 1a. Candidates for United States Senators or for Congressman-at-Large and all those who are candidates for State offices to be voted

on by the qualified voters of the whole State shall pay to the chairman of the State Executive Committee two hundred dollars and shall not be required to pay any other sum or sums to any other person or committee to have their names placed on the ticket as such candidate."

Senator Lewis offered the following amendment to the amendment:

Amend the pending amendment by striking out the words and figures "two hundred dollars (\$200)" where they appear and insert in lieu thereof of the following, "one hundred dollars."

The amendment to the amendment was adopted.

The amendment as amended was then adopted by unanimous consent.

Senator Parr offered the following amendment to the bill:

Amend the caption to H. B. No. 122 by inserting immediately before the clause declaring an emergency the following:

"and providing that candidates for United States Senator and Congressman-at-Large and candidates for State offices as herein defined shall be required to pay to chairman of Executive Committee the sum of one hundred dollars and no more."

The amendment was adopted by unanimous consent.

H. B. No. 122 was then finally passed.

#### H. B. No. 94 on Second Reading.

On motion of Senator Burkett, by unanimous consent, the regular order of business was suspended, and the Senate took up out of its regular order, on its second reading and passage to third reading,

H. B. No. 94, A bill to be entitled "An Act creating the Imperial Independent School District in Pecos County, Texas; defining its boundaries; providing for a board of trustees; conferring upon said district the rights, powers, privileges and duties now conferred and imposed by the General Laws of the State on independent school districts and the board of trustees thereof; providing for the division of the funds and taxes held by and due to Buena Vista Independent School District, and declaring an emergency."



**In Memory and Honor**  
**of**  
**Hon. John M. Adams**

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**Simple Resolution No. 23.**

Whereas, The Hon. Jno M. Adams, an honored citizen and beloved member of the Thirty-eighth Legislature and a Christian gentleman, departed this life on the 11th day of June, A. D. 1923; and

Whereas, As a public servant and as a private citizen he rendered unto his State, and to his people, the services of an earnest, able and patriotic citizen and exemplified and displayed both in public and private life those traits of character which gave him a distinguished place among the chivalrous sons of the South, and won for him the love, respect, friendship and esteem of his associates; therefore, be it

Resolved, That the Senate of the Thirty-eighth Legislature of the State of Texas extend our sincere sympathy to the family of the deceased, and to the district which was blessed by his noble Christian character and influence and that we join in their bereavement and loss; and be it further

Resolved, That a page of this Senate Journal be set apart and dedicated to his memory and that an enrolled copy of this resolution be sent to the family of the deceased, and that when the Senate adjourns on this the 12th day of June, that it do so in honor and respect of our beloved former member of the Legislature, the Honorable Jno. M. Adams of Tarrant County.

STUART.

The resolution was read and adopted.

The Chair laid the bill before the Senate, it was read second time and was then passed to third reading.

### H. B. No. 94 on Third Reading.

On motion of Senator Burkett, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 94 was put upon its third reading and final passage by the following vote:

#### Yeas—25.

Baugh.	Parr.
Bowers.	Pollard.
Burkett.	Ridgeway.
Clark.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.
Murphy.	

#### Absent—Excused.

Bailey.	Rice.
Bledsoe.	Rogers.
Cousins.	

The Chair then laid H. B. No. 94 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

#### Yeas—25.

Baugh.	Parr.
Bowers.	Pollard.
Burkett.	Ridgeway.
Clark.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.
Murphy.	

#### Absent—Excused.

Bailey.	Rice.
Bledsoe.	Rogers.
Cousins.	

### H. B. No. 125 on Second Reading.

On motion of Senator McMillin, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 125 was put on its second reading and passage to third reading by the following vote:

#### Yeas—25.

Baugh.	Parr.
Bowers.	Pollard.
Burkett.	Ridgeway.
Clark.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.
Murphy.	

#### Absent.—Excused.

Bailey.	Rice.
Bledsoe.	Rogers.
Cousins.	

The Chair then placed before the Senate on its second reading,

H. B. No. 125, A bill to be entitled "An Act creating the Pilot Point Independent School District in Denton County, Texas; defining its boundaries; providing for a board of trustees; providing that said district shall have all the rights, powers, privileges and duties of towns and villages incorporated under the General Laws of this State for free school purposes only; providing for the assumption of the payment of bonds heretofore issued by the city of Pilot Point incorporated for free school purposes only; expressly validating a bond election and the bonds issued by virtue of such election held on the 22nd day of May, 1923; and declaring an emergency."

The bill was read second time.

The Senate rule requiring committee reports to lie over one day was suspended by unanimous consent, and the committee report that the bill be not printed was adopted.

H. B. No. 125 was then passed to third reading.

### H. B. No. 125 on Third Reading.

On motion of Senator McMillin, the constitutional rule requiring bills to

be read on three several days in each House was suspended, and H. B. No. 125 was put on its third reading and final passage by the following vote:

## Yeas—25.

Baugh.	Parr.
Bowers.	Pollard.
Burkett.	Ridgeway.
Clark.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.
Murphy.	

## Absent—Excused.

Bailey.	Rice.
Bledsoe.	Rogers.
Cousins.	

The Chair then laid H. B. No. 125 before the Senate on third reading and final passage.

The bill was read third time and passed by the following vote:

## Yeas—25.

Baugh.	Parr.
Bowers.	Pollard.
Burkett.	Ridgeway.
Clark.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.
Murphy.	

## Absent—Excused.

Bailey.	Rice.
Bledsoe.	Rogers.
Cousins.	

**H. B. No. 68 on Second Reading.**

On motion of Senator Darwin, by unanimous consent, the regular order of business was suspended, and the Senate took up out of its regular order, on its second reading and passage to third reading,

H. B. No. 68, A bill to be entitled "An Act to amend Sections 5 and 7 of the Acts of the Second Called Ses-

sion of the Thirty-eighth Legislature of the State of Texas, known as H. B. No. 11, entitled 'An Act to provide a more efficient method for the collection of delinquent taxes on land; providing compensation for the county attorney and other officials for service rendered in collecting such taxes, further providing for the employment of a special attorney to assist in collecting such taxes, amending Section 1 of Chapter 47 of the Regular Session of the Thirty-fourth Legislature, as amended by Section 1 of Chapter 64 of the General Laws passed at the Second Called Session of the Thirty-sixth Legislature, amending Section 2 of Chapter 147 of the General Laws of the State of Texas passed at the Regular Session of the Thirty-fourth Legislature, amending Articles 7687, 7688, 7689, 7692, 7699 of the Revised Civil Statutes of the State of Texas of 1911, repealing Section 3, Chapter 147, of the General Laws of the State of Texas passed at the Regular Session of the Thirty-fourth Legislature, as amended by Section 2, Chapter 64, of the General Laws of the State of Texas passed by the Second Called Session of the Thirty-sixth Legislature, adding to Chapter 15 of Title 126 of the Revised Statutes of Texas of 1911 a new article to be known as Article 7689a, limiting the defenses that may be urged in defense of a suit for delinquent taxes, repealing all laws in conflict with the provisions of this Act, and declaring an emergency,' by making Section 5 refer to Article 7689 instead of Article 7687, and by defining more clearly what moneys shall be sent by the sheriff to the State Treasurer when the sheriff shall make a sale as provided for in said Act, and by amending Section 7, more clearly defining fees to be allowed county attorneys under said Act, and declaring an emergency."

The Chair laid the bill before the Senate, it was read second time, the committee report that bill be not printed was adopted, and it was then passed to third reading.

**H. B. No. 68 on Third Reading.**

On motion of Senator Darwin, the constitutional rule requiring bills to be read on three several days in each

House was suspended, and H. B. No. 68 was put on its third reading and final passage by the following vote:

Yeas—22.

Burkett.	Parr.
Clark.	Pollard.
Darwin.	Ridgeway.
Davis.	Stuart.
Doyle.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Wirtz.
Lewis.	Witt.
McMillin.	Wood.
Murphy.	Woods.

Nays—1.

Strong.

Absent.

Baugh.

Bowers.

Absent—Excused.

Bailey.  
Bledsoe.  
Cousins.

Rice.  
Rogers.

The Chair then laid H. B. No. 68 before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—19.

Burkett.	Parr.
Clark.	Pollard.
Darwin.	Ridgeway.
Davis.	Stuart.
Doyle.	Thomas.
Fairchild.	Turner.
Floyd.	Watts.
Holbrook.	Wirtz.
Lewis.	Witt.
McMillin.	

Nays—1.

Strong.

Present—Not Voting.

Woods.

Absent.

Baugh.  
Bowers.

Murphy.  
Wood.

Absent—Excused.

Bailey.  
Bledsoe.  
Cousins.

Rice.  
Rogers.

## H. B. No. 57 on Second Reading.

On motion of Senator Wood, by unanimous consent, the regular order of business was suspended and the Senate took up out of its regular order, on its second reading and passage to third reading,

H. B. No. 57, A bill to be entitled "An Act extending for a period of five (5) years from the passage of this Act all permits to prospect for oil and gas heretofore issued on State submerged lands, islands, bays, marshes, river bed channels and lakes, and providing that all permits hereafter issued shall be for a period of five (5) years; and providing that such permits shall be extended on the condition that the owner shall pay to the State annually in advance during the life of the permit the required sum or sums of money now provided by law, and that the owner of the permit shall drill, at the discretion of the Commissioner of the General Land Office, such offset well or wells as may be necessary to protect the State's interest in the area included in the permit."

Senator Wood moved to adopt the committee report carrying the following substitute bill:

### A BILL

#### To be Entitled

An Act to provide that oil and gas permits hereafter issued on river beds and the channels of streams owned by the State and fresh water lakes and islands therein and University land and public school land both surveyed and unsurveyed shall be issued under the terms and conditions now provided by law, except they shall run for a term of five years; also, all such permits heretofore issued upon the land and areas included herein and which permits have not expired nor been cancelled shall be extended so as to run five years from the date of the taking effect of this Act; also, providing that sixteen sections of University land in a solid body may be included in one application and permit; repealing all laws in conflict herewith and declaring an emergency. Be it enacted by the Legislature of the State of Texas:

Section 1. All oil and gas permits hereafter issued on river beds and the channels of streams owned by

the State and fresh water lakes and islands therein and University land and public school land both surveyed and unsurveyed, shall be issued under the terms of the present law except they shall run for a period of five years from the date of issue and the owner shall have the full term of the permit in which to develop oil and gas in paying quantities, provided the annual payment of ten cents per acre is made and the necessary offset wells are drilled.

Sec. 2. All oil and gas permits heretofore issued upon the land and areas included in this Act shall be extended so as to run for a period of five years from the taking effect of this Act; provided this extension shall not apply to such public school land as may be sold at the time this Act takes effect. The owner of such permits shall have the full term of the permit in which to develop oil and gas in paying quantities, provided the annual payment of ten cents per acre is made and the necessary offset wells are drilled.

Sec. 3. Oil and gas applications and permits on University land may include in a solid body as much as sixteen sections of 640 acres each more or less.

Sec. 4. All laws in conflict herewith are hereby repealed.

Sec. 5. The fact that the terms of the permits as they now exist are too short to secure adequate development, creates an emergency and an imperative public necessity that the constitutional rule which requires bills to be read on three several days in each House be suspended and that this bill be placed upon its third reading and final passage, and that it take effect from and after its passage, and it is so enacted.

Senator Burkett moved to postpone further consideration of the bill indefinitely.

Senator Pollard moved that the bill be laid on the table subject to call, and the motion prevailed.

#### Executive Session—Postponed.

Senator Clark moved that the executive session for the consideration of appointments by the Governor, which was set for 3 p. m. today, be postponed until 11 a. m. tomorrow. The motion prevailed.

#### H. B. No. 120 on Second Reading.

On motion of Senator Doyle, by unanimous consent, the regular order of business was suspended, and the Senate took up out of its regular order, on its second reading and passage to third reading.

H. B. No. 120, A bill to be entitled "An Act amending Section 1 of Chapter 4 of the Special and Local Laws of the First Called Session of the Thirty-seventh Legislature, whereby the Tehuacana School District in Limestone County is reduced in size, and providing for the annexation of the portions thereof thus removed unto adjacent common school districts, and declaring an emergency."

The Chair laid the bill before the Senate and it was read second time, the committee report that the bill be not printed was adopted, and it was then passed to third reading.

#### H. B. No. 120 on Third Reading.

On motion of Senator Doyle, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 120 was put on its third reading and final passage by the following vote:

Yeas—25.

Baugh.	Parr.
Bowers.	Pollard.
Burkett.	Ridgeway.
Clark.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.
Murphy.	

Absent—Excused.

Bailey.	Rice.
Bledsoe.	Rogers.
Cousins.	

The Chair then laid H. B. No. 120 before the Senate on its third reading and final passage.

The bill was read third time and passed.

**H. B. No. 123 on Second Reading.**

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 123 was put upon its second reading and passage to third reading by the following vote:

**Yeas—20.**

Bowers.	Pollard.
Darwin.	Ridgeway.
Davis.	Strong.
Fairchild.	Stuart.
Floyd.	Thomas.
Holbrook.	Turner.
Lewis.	Watts.
McMillin.	Wirtz.
Murphy.	Witt.
Parr.	Woods.

**Absent.**

Baugh.	Doyle.
Burkett.	Wood.
Clark.	

**Absent—Excused.**

Bailey.	Rice.
Bledsoe.	Rogers.
Cousins.	

The Chair then laid before the Senate on its second reading,

H. B. No. 123, A bill to be entitled "An Act to amend Article 1121, Chapter 11, Title 25, Revised Civil Statutes of the State of Texas, 1911, relating to private corporations, by adding thereto, a section providing for the formation of private corporations for the purpose of engaging in radio telegraphy and telephony, and wireless telegraphy and telephony, with authority to own, lease, construct, maintain and operate all the necessary plants, equipment and facilities thereto pertaining, and declaring an emergency."

The bill was read second time.

On motion of Senator Murphy, the Senate rule requiring committee reports to lie over one day was suspended by unanimous consent, and the committee report that the bill be not printed was adopted.

H. B. No. 123 was then passed to third reading.

**H. B. No. 123 on Third Reading.**

On motion of Senator Murphy, the constitutional rule requiring bills to

be read on three several days in each House was suspended, and H. B. No. 123 was placed upon its third reading and final passage by the following vote:

**Yeas—22.**

Bowers.	Parr.
Burkett.	Pollard.
Darwin.	Ridgeway.
Davis.	Strong.
Doyle.	Stuart.
Fairchild.	Thomas.
Floyd.	Turner.
Holbrook.	Watts.
Lewis.	Wirtz.
McMillin.	Witt.
Murphy.	Woods.

**Absent.**

Baugh.	Wood.
Clark.	

**Absent—Excused.**

Bailey.	Rice.
Bledsoe.	Rogers.
Cousins.	

The Chair placed the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

**Yeas—22.**

Bowers.	Parr.
Burkett.	Pollard.
Darwin.	Ridgeway.
Davis.	Strong.
Doyle.	Stuart.
Fairchild.	Thomas.
Floyd.	Turner.
Holbrook.	Watts.
Lewis.	Wirtz.
McMillin.	Witt.
Murphy.	Woods.

**Absent.**

Baugh.	Wood.
Clark.	

**Absent—Excused.**

Bailey.	Rice.
Bledsoe.	Rogers.
Cousins.	

**S. B. No. 37 on Second Reading.**

On motion of Senator Witt, the constitutional rule requiring bills to be read on three several days in each House was suspended, and S. B. No.

37 was put upon its second reading and passage to engrossment by the following vote:

Yeas—25.

Baugh.	Parr.
Bowers.	Pollard.
Burkett.	Ridgeway.
Clark.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Wood.
McMillin.	Woods.
Murphy.	

Absent—Excused.

Bailey.	Rice.
Bledsoe.	Rogers.
Cousins.	

The Chair then laid before the Senate on its second reading,

S. B. No. 37, A bill to be entitled "An Act creating Marlin Independent School District in Falls County, State of Texas, and defining its boundaries; separating the schools from the city of Marlin and divesting the title to school property from the city of Marlin and vesting the same, together with other free school property in said district, in the board of trustees for said district; conferring on said district and its board of trustees all of the rights, powers, privileges, and duties now conferred and imposed by the General Laws of Texas upon independent school districts, and the board of trustees thereof; authorizing the board of trustees of said district to employ the city assessor and collector of the city of Marlin to assess and collect any and all taxes that may be levied in said district, declaring that all bonds heretofore authorized by any and all former school districts included within the boundaries hereof shall remain in full force and effect; validating and continuing in force the legal maintenance tax heretofore voted in a part of said district as herein created, until the voters shall increase, diminish or abolish said tax; providing that the outstanding bonds heretofore levied by the city of Marlin for school purposes are validated and shall be paid by the levying of a tax

by the governing authorities of said city against the property in said city until otherwise provided for; providing that other territory may be added; and also providing for the appointment of a board of equalization and for the collection of delinquent taxes; providing that in case any of the provisions of this Act shall be held ineffective such action shall not invalidate the remaining part of this Act; providing that this Act shall be held cumulative to all general laws when not in conflict, and declaring an emergency."

The bill was read second time.

On motion of Senator Witt, the Senate rule requiring committee reports to lie over one day was suspended by unanimous consent, and the committee report that the bill be not printed was adopted.

S. B. No. 37 was then passed to engrossment.

H. B. No. 96 on Second Reading.

On motion of Senator Pollard, by unanimous consent, the regular order of business was suspended, and the Senate took up out of its regular order, on its second reading and passage to third reading,

H. B. No. 96, A bill to be entitled "An Act creating Baileyboro Independent School District of Bailey County; providing for the organization of its affairs; defining its powers and providing for an election for the purpose of adjusting the territory comprised in this district to any taxes which may theretofore have been levied upon any property included therein, for the purpose of protecting an outstanding bond issue by any district of which such territory may have formed part, and declaring an emergency."

The Chair laid the bill before the Senate and it was read second time, the committee report that the bill be not printed was adopted, and it was passed to third reading.

H. B. No. 100 on Second Reading.

On motion of Senator Pollard, by unanimous consent, the regular order of business was suspended, and the Senate took up out of its regular order, on its second reading and passage to third reading,

H. B. No. 100, A bill to be entitled "An Act authorizing the commissioners court of Floyd County to validate the sale of a certain block of land in the county of Floyd, in this State, known as 211 acres out of Section No. 89, Block No. 1, A. B. & M. Cert. 1497, and shown on the official map of Floyd County; authorizing the commissioners' court of said county to execute a deed of confirmation without the necessity of public advertisement and public sale, and declaring an emergency."

The Chair laid the bill before the Senate, it was read second time, the Senate rule requiring committee reports to lie over one day was suspended by unanimous consent, the committee report that it be not printed was adopted, and it was then passed to third reading.

#### H. B. No. 101 on Second Reading.

On motion of Senator Stuart, by unanimous consent, the regular order of business was suspended, and the Senate took up out of its regular order, on its second reading and passage to third reading.

H. B. No. 101, A bill to be entitled "An Act to validate all public school lands purchased from the State, December 3, 1895, and July 31, 1896."

The Chair laid the bill before the Senate, it was read second time, the Senate rule requiring committee reports to lie over one day was suspended by unanimous consent, the committee report that it be not printed was adopted, and it was then passed to third reading.

#### Message from the House.

Hall of the House of Representatives,  
Austin, Texas, June 12, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 39, A bill to be entitled "An Act to require the teaching of the Constitution of the United States and of this State, including the study of and devotion to American institutions and ideals in all the public schools and colleges."

H. B. No. 71, A bill to be entitled "An Act providing for the rendition for taxation and assessment thereof of all merchandise and stocks sold by mercantile establishments in the State of Texas, and providing for efficient method for the assessment thereof, and declaring an emergency."

H. B. No. 72, A bill to be entitled "An Act providing for the assessment of property stored in warehouses and requiring that every warehouseman in the State of Texas who holds property belonging to any person, co-partnership, association or corporation shall furnish to the tax assessor of the county in which such property is held a list of such property and the name and address of the owner thereof, and declaring an emergency."

H. B. No. 125, Creating Pilot Point Independent School District.

H. B. No. 102, A bill to be entitled "An Act authorizing any city in the State of Texas of one hundred thousand or more population, whether organized by special law, home rule charter, or General Laws of the State of Texas, to disannex unimproved territory, and declaring an emergency."

S. B. No. 22, A bill to be entitled "An Act making an appropriation for two years for any unexpended balance of an appropriation made to purchase additional lands for the University of Texas, which appropriation was made by the Thirty-seventh Legislature at its Regular Session, said Act being Chapter 137 of the General Laws of said Regular Session; and declaring an emergency."

H. B. No. 123.

H. B. No. 122, Providing that the maximum charge shall be \$1.00 in each county permitting Senators and Representatives to have their names placed on ballot.

House refused to concur in Senate amendments to H. B. No. 85, and requests the appointment of a Free Conference Committee to adjust the differences between the two Houses. The following committee is appointed on part of the House: Quaid, Wallace, Sanford, Westbrook and Davenport.

House refuses to concur in Senate amendments to H. B. No. 74, and requests the appointment of a Free Conference Committee to adjust the



differences between the two Houses. The following committee is appointed on part of the House: Henderson of Marion, Patman, Faubion, Jennings and Lackey.

House refuses to concur in Senate amendments to H. B. No. 51, and requests the appointment of a Free Conference Committee to adjust the differences between the two Houses. The following committee is appointed on part of the House: Greer, Gipson, Chitwood, Bell and DeBerry.

House has adopted the report of the Free Conference Committee on S. B. No. 9, by a vote of 95 yeas, 6 nays.

House has granted the request of the Senate for a Free Conference Committee on S. B. No. 29, and the following committee is appointed on part of the House: Blount, Baker of Milam, Purl, Smith and Maxwell.

Has passed

H. B. No. 111, A bill to be entitled "An Act making it a felony to manufacture, sell, barter, give away or furnish as a beverage any poisonous alcoholic, drug, whiskey, mixture or preparation; defining the words 'poisonous' and 'alcoholic' as used in the Act; prescribing penalties; and declaring an emergency."

Respectfully submitted,

C. L. PHINNEY,

Chief Clerk, House of Representatives.

#### **Bills Read and Referred.**

The Chair (Senator R. A. Stuart) had referred, after their captions had been read, the following House bills:

H. B. No. 125, to the Committee on Educational Affairs.

H. B. No. 71, to the Committee on State Affairs.

H. B. No. 72, to the Committee on State Affairs.

H. B. No. 124, to the Committee on State Affairs.

The Chair (Lieutenant Governor T. W. Davidson) had referred, after their captions had been read, the following House bills:

H. B. No. 39, to the Committee on Educational Affairs.

H. B. No. 102, to the Committee on Towns and City Corporations.

H. B. No. 122, to the Committee on Privilege and Elections.

H. B. No. 123, to the Committee on Labor.

H. B. No. 111, to the Committee on Criminal Jurisprudence.

#### **Adjournment.**

On motion of Senator Woods, the Senate at 5 p. m. adjourned until 10 o'clock a. m. tomorrow.

#### **APPENDIX.**

##### **Committee Reports.**

Senate Chamber,

Austin, Texas, June 12, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 26 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Senate Chamber,

Austin, Texas, June 12, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 33 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Senate Chamber,

Austin, Texas, June 12, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 34 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Senate Chamber,

Austin, Texas, June 12, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 35 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Committee Room.

Austin, Texas, June 12, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 116, A bill to be entitled "An Act to repeal Section 1, Chapter

39, Acts of the First Called Session, Thirty-fifth Legislature, same being an Act to vest title to the property near the intersection of Nineteenth Street and East Avenue in the city of Austin, Travis County, Texas, belonging to the Blind Asylum in the University of Texas and to direct conveyance thereof to the State University; providing that title to said property shall vest in the State of Texas; providing further for an appropriation to repair said property, including buildings, machinery and equipment, and declaring an emergency."

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

WOOD, Chairman.

Committee Room,

Austin, Texas, June 12, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 37, A bill to be entitled "An Act creating Marlin Independent School District in Falls County, State of Texas; and defining its boundaries; separating the schools from the city of Marlin and divesting the title to school property from the city of Marlin and vesting the same, together with other free school property in said district, in the board of trustees for said district; conferring on said district and its board of trustees all of the rights, powers, privileges, and duties now conferred and imposed by the General Laws of Texas upon independent school districts, and the board of trustees thereof; authorizing the board of trustees of said district to employ the city assessor and collector of the city of Marlin to assess and collect any and all taxes that may be levied in said district, declaring that all bonds heretofore authorized by any and all former school districts included within the boundaries hereof shall remain in full force and effect; validating and continuing in force the legal maintenance tax heretofore voted in a part of said district as herein created, until the voters shall increase, diminish or abolish said tax; providing that the

outstanding bonds heretofore levied by the city of Marlin for school purposes are validated and shall be paid by the levying of a tax by the governing authorities of said city against the property in said city until otherwise provided for; providing that other territory may be added; and also providing for the appointment of a board of equalization and for the collection of delinquent taxes; providing that in case any of the provisions of this Act shall be held ineffective such action shall not invalidate the remaining part of this Act; providing that this Act shall be held cumulative to all General Laws when not in conflict; and declaring an emergency."

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

WOOD, Chairman.

Committee Room,

Austin, Texas, June 12, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 125, A bill to be entitled "An Act creating the Pilot Point Independent School District in Denton County, Texas; defining its boundaries; providing for a board of trustees; providing that said district shall have all the rights, powers, privileges and duties of towns and villages incorporated under the General Laws of this State for free school purposes only; providing for the assumption of the payment of bonds heretofore issued by the city of Pilot Point incorporated for free school purposes only; expressly validating a bond election and the bonds issued by virtue of such election held on the 22nd day of May, 1923; and declaring an emergency."

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

WOOD, Chairman.

Committee Room,

Austin, Texas, June 12, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Pub-

lic Lands and Land Office, to whom was referred

H. B. No. 101, A bill to be entitled "An Act to validate all public free school lands purchased from the State, December 3, 1895, and July 31, 1896."

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

THOMAS, Chairman

Committee Room,

Austin, Texas, June 12, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

H. B. No. 100, A bill to be entitled "An Act authorizing the commissioners court of Floyd County to validate the sale of a certain block of land in the county of Floyd in this State, known as 211 acres out of Section No. 89, Block No. 1, A. B. & M., Cert. No. 1497, and shown on the official map of Floyd County; authorizing the commissioners court of said county to execute a deed of confirmation, without the necessity of public advertisement and public sale, and declaring an emergency"

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

THOMAS, Chairman.

(Floor Report.)

Senate Chamber,

Austin, Texas, June 12, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Labor, to whom was referred

H. B. No. 123, A bill to be entitled "An Act to amend Article 1121, Chapter 11, Title 25, Revised Civil Statutes of the State of Texas, 1911, relating to private corporations, by adding thereto, a section providing for the formation of private corporations for the purpose of engaging in radio telegraphy and telephony and wireless telegraphy and telephony, with authority to own, lease, construct, maintain and operate all the necessary plants, equipment and

facilities thereto pertaining, and declaring an emergency."

Have had same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass and be not printed.

Murphy, Chairman; Fairchild, Stuart, Davis.

Committee Room,

Austin, Texas, June 12, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred

H. B. No. 122, A bill to be entitled "An Act to amend Article 3104 so as to provide that no candidate for State Senator or State Representative shall be required to pay more than one dollar as his portion of the estimated expenses of holding the primary election at which such candidate is seeking nominations, and declaring an emergency."

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and that it be not printed.

DAVIS, Chairman.

Committee Room,

Austin, Texas, June 12, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

H. B. No. 102, A bill to be entitled "An Act authorizing any city in the State of Texas of one hundred and fifty thousand or more population, whether organized by special law, home rule charter, or General Laws of the State of Texas, to disannex unimproved territory, and declaring an emergency."

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and that it be not printed.

RIDGEWAY, Chairman.

Committee Room,

Austin, Texas, June 12, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 124, A bill to be entitled

"An Act placing a closed season of five years on antelope, mountain sheep, wild pheasant, wild wood cock, wild wood-duck, and wild prairie chicken; and providing open season for killing prairie chickens in certain counties; providing a penalty for the violation of same; repealing all laws in conflict herewith; and declaring an emergency."

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and that it be not printed.

WITT, Chairman.

Committee Room,  
Austin, Texas, June 12, 1923.  
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 71, A bill to be entitled "An Act providing for the rendition for taxation and assessment thereof of all merchandise and stocks sold by mercantile establishments or department stores in the State of Texas and providing for efficient method for the assessment thereof, and declaring an emergency."

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and that it be not printed.

WITT, Chairman.

Committee Room,  
Austin, Texas, June 12, 1923.  
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 72, A bill to be entitled "An Act providing for the assessment of property stored in warehouses and places of storage; defining places of storage and requiring that every warehouseman in the State of Texas who holds property belonging to any person, co-partnership, association, or corporation shall, on January 1st of each year, furnish to the tax assessor of the county in which such property is held, a list of such property and the name and address of the owner thereof, and declaring an emergency."

Have had same under consideration, and I am instructed to report the same back to the Senate with the

recommendation that it do pass and that it be not printed.

WITT, Chairman.

Committee Room,  
Austin, Texas, June 12, 1923.  
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 36, A bill to be entitled "An Act appropriating the sum of twelve thousand dollars (\$12,000.00) to pay for printing and binding the laws of the Regular and Called Sessions of the Thirty-eighth Legislature, and declaring an emergency."

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

WOOD, Chairman.

#### Invitation.

Fort Worth, Texas, June 8, 1923.  
Hon. T. W. Davidson, Lieutenant Governor, and Members of the Texas Senate.

Honorable Sirs: Having come to the conclusion that political action is the only means of permanent relief for the workers of this State, we invite you one and all to attend a meeting of The Farm Labor Political Conference, to be held in Dallas, June 21, in the afternoon and night.

This organization is composed of the State Federation of Labor, The Farm Labor Union, and The Four Railway Brotherhoods.

We will appreciate your presence at this meeting.

Respectfully,

J. W. McCULLOUGH,  
Chairman State Executive Committee.

#### NINETEENTH DAY.

Senate Chamber,  
Austin, Texas,  
Wednesday, June 13, 1923.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor T. W. Davidson.

The roll was called, a quorum being present, the following Senators answering to their names: